

AN ORDINANCE BY

00-0-0728

COUNCILMEMBER DEBI STARNES

AN ORDINANCE TO ABANDON A PORTION OF RALPH MCGILL BOULEVARD N.E. FROM LINWOOD AVENUE TO A POINT APPROXIMATELY 250 FEET TO THE WEST AND TO WAIVE THE COST OF THE APPRAISAL.

WHEREAS, the City of Atlanta has received a petition from the abutting property owner to abandon a portion of Ralph McGill Boulevard; and

WHEREAS, the abutting property owner has met the requirements of Section 138-5 of the Code of Ordinances of the City of Atlanta; and

WHEREAS, the abandoned rights-of-way shall become part of the abutting owner's private property and their responsibility to maintain.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: An abutting property owner has petitioned for a street abandonment of a portion of Ralph McGill Boulevard.

SECTION 2: That the petitioner for the street abandonment has met all of the requirements of Section 138-5 of the Code of Ordinances of the City of Atlanta except for the pre-payment of the fee for the appraisal.

SECTION 3: That a portion of Ralph McGill Boulevard N.E., from Linwood Avenue N.E. to a point approximately 250 feet to the West, lying and being in Land Lot 15 of District 14, Fulton County, as shown on the attached Exhibit "A", is hereby declared no longer useful or necessary for the public's use and convenience.

SECTION 4: That the City of Atlanta hereby abandons the aforementioned street.

SECTION 5: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time, said easements shall expire.

SECTION 6: That the requirement of Section 138-5 for payment of a fee to be applied to the cost of the appraisal is hereby waived.

SECTION 7: That all costs associated with the appraisal report shall be charged to and paid from Account Number 1A01 524001 G55001.

SECTION 8: That the Mayor is hereby authorized to execute a quitclaim deed for said street upon receipt of payment in the amount of the appraised value.

SECTION 9: That all funds received in excess of the cost of advertising and appraisal shall be allocated to the construction of sidewalks in the City of Atlanta. Account No. 3P02 491102 M22F03349999.

SECTION 10: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.